

BOARD OF SELECTMEN

December 10, 2013

Minutes

The Board of Selectmen met on Tuesday, December 10, 2013 at 7:00 p.m. in the Town Hall Clark Room. Those present were Selectmen Timothy F. Hult, John Gorecki, Peter Scavongelli, John D. Williams and Douglas A. G. Stevenson. Town Administrator Timothy D. Goddard was also present.

Also in attendance:

Arleen Martino

Debra Belanger, Audit Committee

Larry Barton, Finance Director

Priscilla Dumka, Town Accountant

David Flannery, Local Emergency Manager

Elizabeth Barnett, Housing Coordinator

David Eisen, Urban Designer – Abacus Architects + Planners

Thomas Ryan, Principal – Ryan Associates, Landscape Architects

Louise Hara, Chair - Open Space & Recreation Plan Committee

David Freedman, member of Open Space & Recreation Plan Committee

Greg Peterson, Carlisle Affordable Housing Trust

Vanessa Moroney, resident

Larry Bearfield and Robin Emerson, Ferns Country Store

Community Input

Arleen Martino was present from the Massachusetts LaRouche PAC Committee to ask the Board if they would send a letter to Representative Nikki Tsongas, urging her to cosign bill HR 129, the House bill that would restore the 1933 Glass-Steagall law to banking. Ms. Martino explained that Glass-Steagall was a banking regulation that separated commercial banking from investment banking and thereby prohibited speculation with commercial deposits. She added that as long as this law was in place, we were safe, as a nation from speculative processes. Ms. Martino asked the Board to review the documents she presented. Mr. Hult thanked Ms. Martino.

Audit Committee – Financial Statements

Deb Belanger was present from the Audit Committee. She said the Audit Committee met on November 26th to follow up on the open items that were leftover from the Board of Selectmen's Nov. 12th meeting. She said the outstanding items were satisfactorily completed, the financial statements were closed, and a clean opinion was issued. Deb said the Audit Committee voted unanimously on November 26th to recommend that the Board accept the Financial Statements.

Deb spoke about the Management letter. She discussed some issues that were of concern with the Library and the Recreation Commission and they will be addressed.

Mr. Stevenson inquired about a disaster recovery plan. Larry said they are concerned with protecting our documents and they have procedures in place for backing up our data. He added that there is still more work to be done on this.

Deb said we have received notice from Chris Rogers, from Sullivan and Rogers, the Town auditors that they have merged with the firm Clifton Larson Allen, located in Minnesota. She noted that this firm is rated tenth largest in the United States. She said 40% of their portfolio is state government and municipalities.

On a motion made by Mr. Stevenson and seconded by Mr. Gorecki it was unanimously **VOTED** to accept the Independent Auditors' Report on Basic Financial Statements and Required Supplementary Information for the Fiscal Year ended June 30, 2013 and the Town of Carlisle, Massachusetts Management Letter dated June 30, 2013.

Chief David Flannery – Sheltering Committee

David Flannery was present to discuss emergency management. He said he spoke with the Board of Health agent Linda Fantasia and Board member Bill Risso about establishing a shelter at the school because it has emergency power and it serves as a comfort center. David said we need to attend meetings with our regional towns to discuss the establishment of a regional shelter center. Mr. Hult asked what the mandates are for a regional shelter center. David said MEMA, the state agency that coordinates emergency preparedness is setting up the guidelines for taking the initiative if a community chooses to set-up a shelter.

Mr. Hult said he was very supportive of this matter. David suggested that the Selectmen recruit three or four volunteers from the community who would serve on a sheltering committee. This could be a sub-committee to the LEPC.

Mr. Hult agreed to form a committee. He said that the public safety liaisons will work with David to form a charter for the committee and decide on the members for same. Mr. Hult said the Board will take this matter up again at their second meeting in January.

David spoke about an issue at the Fire Station concerning the underground tanks and the dispenser to the fuel lines. He said there are new regulations regarding underground fuel tanks and so far we have been in compliance with them. David said this past May a test was taken and due to a faulty cathode protector, we failed the test. He said we have to take steps to correct this item and he presented two prices to do this. David said the engineering will cost approximately \$500.00 and the repairs will cost about \$6,000.00 and a few more thousand to re-pave the fire station lot when this project is finished (in total about \$10,000). David this has to be done within the current fiscal year.

In response to Mr. Gorecki, David said there are no leaks coming from this faulty nozzle cap.

In response to Mr. Stevenson, David said he considered using our DPW for some of the work on this project.

On a motion made by Mr. Stevenson and seconded by Mr. Williams, it was unanimously **VOTED** to authorize the Fire Chief to move forward with the needed repairs on the cathode protection on the fuel lines at the Fire Station for an amount up to \$10,000.00.

David gave the Board an update on the ALS service. He said the ambulance reimbursement bill that was going before the legislature, [Sec. 23 of House 3539] will be going before the legislature again with an amendment that does not favor the municipalities. David said the Fire Chief's association is trying to guide and request the Senate to reject the Governors amendment and keep the original protections in that bill. He explained that the original protection helps the municipalities out by letting them set the ambulance fees collect them. The argument on the other side is to give the insurance companies more control.

Carlisle Affordable Housing Trust

Housing Coordinator Elizabeth Barnett spoke briefly before a presentation was given by the architects.

Elizabeth said about a year ago, at our special fall Town Meeting in 2012, the Town voted to authorize the Affordable Housing Trust to purchase 338 Bedford Road for two developmentally disabled group homes and passive and active recreation and possibly a community center. She said the property was purchased in May, 2013. The Trust thought it was important to look at various problematic elements in the beginning. In the

summer of 2013 an RFP was prepared to basically look at the elements that had been brought up. Elizabeth said seven firms submitted proposals, and Abacus Architects + Planners were chosen in collaboration with Ryan Associates and Samiotes Consultants. Thus began the three part process. Elizabeth said there were two charretes and four presentations. The presentations were given to the Planning Board, Conservation Commission, and the Board of Health and now the Selectmen. The presentations are for the purpose of receiving input. Elizabeth said all of this input will be put together for a final event that will take place on January 25th from 9 a.m. to 12 p.m.

David Eisen, designer from Abacus Associates and Tom Ryan Principle Architect from Ryan Associates provided a presentation with various diagrams. David said because this project brought up a range of issues there are three firms working on this project. They are: a planning/design firm, landscaping firm and civil engineering firm. He said their challenge was to come up with a recommendation to the Town on how to use this piece of property. David explained the issues they have been working on. He said there is an existing house that will be torn down. After that they intend to build two (2) group homes with five bedrooms in each for developmentally disabled individuals. David said there is a possibility of looking at a community center and recreation center on this property.

David showed pictures of these houses and pointed out that they will not look like the other houses in Carlisle. He explained that everything is on one floor. In response to Mr. Stevenson, David said the photo he showed was a five-bedroom house with an office.

David explained the term charrette as an intense period of design or planning activity. He said this was a community design process for this project. He said there were two charretes which were open to all Board members.

Tom Ryan spoke about some of the options that were discussed at the charretes. He noted that the property is long and narrow. Tom said the discussions were primarily relative to placing two items on the site. He said they explored putting the housing up front and the community center in back. He said they also flipped that option.

Tom talked about the community center; its size, parking area, and accessibility. One community center discussed was 10,000 sq. ft. with a parking lot for 100 cars. The other option was a 5,000 sq. ft. community center with a parking lot for 50 cars and a tennis court.

Mr. Stevenson said the charrette process was very successful and they have provided some good ideas. He asked about the septic system. He questioned why DDS housing would not tie-into the waste-water treatment plant. Tom explained that the housing will be built by an outside entity on a long term ground lease.

Mr. Stevenson said it did not seem that the recreation component weighed-in as heavily as the owners had originally implied. Tom explained that the size of the community center will determine what the size the recreation component is. The community center could serve as part of a recreational facility. He said this is a work in progress.

In reply to Mr. Hult, David Eisen said each house measures 2100 sq. ft. Mr. Hult was concerned about how these two houses will look from the road. Tom said they took several walks around the property before the charretes to visualize the placement of the houses and community center.

Mr. Williams said he was a part of the charrete sessions and it is important that the people who live in these houses feel a part of the community.

Mr. Scavongelli asked David and Tom if they were aware that the Town is presently exploring converting an old historic school building, and it is likely that a recommendation will be made to convert that building into a community center. He asked how important was it to have a community center here instead of some other recreation component. Mr. Williams said the Council on Aging is looking at this as a good place to have a community center.

Vanessa Moroney of Bedford Road asked about pedestrian access to this site.

Joan and Alex Parker from Russell Street said Carlisle needs a Council on Aging building.

David Klein from the Council on Aging commented on the two sizes for a community center. He said he spoke with the Executive Office of Elder Affairs recently and they informed him that based on the 2010

census they came up with a figure on a Senior Center of about 6500 sq.ft. As for today and moving forward, that number should increase to 10,000 sq. ft.

Mr. Hult thanked Mr. Eisen and Mr. Ryan for their informative presentations.

2014 License Renewals

Mr. Goddard said tonight we will approve the renewal of three (3) Licenses for Carlisle Center Ventures, LLC, d/b/a Ferns Country Store for calendar year 2014. The first one was the Beer and Wine Package Store License. Mr. Goddard explained that the Commonwealth of Massachusetts Alcoholic Beverages Control Commission requires the renewal of this license to be made during the month of November. He said the Board of Selectmen is the local licensing authority and they are asked to approve this application.

Mr. Goddard said the Carry-In License/ BYOB are done concurrently with the Victualler's License and Beer and Wine License. Mr. Goddard said Larry Bearfield and Robin Emerson have submitted all necessary documents for these licenses and the fees for same.

On a motion made by Mr. Stevenson and seconded by Mr. Williams, it was unanimously **VOTED** to renew the Off-Premises Beer and Wine Package Store License for Carlisle Center Ventures, LLC, and d/b/a Ferns Country Store for the calendar year 2014.

On a motion made by Mr. Stevenson and seconded by Mr. Gorecki, it was unanimously **VOTED** to renew the Carry-In Liquor License for Carlisle Center Ventures, LLC d/b/a Ferns Country Store for calendar year 2014.

On a motion made by Mr. Stevenson and seconded by Mr. Scavongelli, it was unanimously **VOTED** to renew the Common Victualler's License for Carlisle Center Ventures, LLC, d/b/a Ferns Country Store for calendar year 2014.

Discussion on Banta-Davis Water/Traffic Study Committees

Mr. Hult said we have discussed at previous Selectmen meetings and also at the Affordable Housing Trust meetings Water and Traffic Studies on Banta Davis. He said Greg Peterson and Elizabeth Barnett have done a great job getting these studies moving forward. Mr. Hult suggested he work with the Town Administrator to contact both the School Committee and Recreation Commission to see if we can get a contact to help us to review the studies when they are submitted.

Consideration of approval of the OS&R Plan Update

Louise Hara, Chair, David Freedman, Mary Zoll, and Liz Carpenter were present from the Open Space and Recreation Committee. Louise said they are present tonight as the final step in more than a two year process in developing the 2013 Open Space and Recreation Plan. She said with the State's approval through the Executive Office of the Energy and Environmental Affairs and the Planning Board's final approval, (which was held last night) and the Board of Selectmen's approval, Carlisle will be eligible for certain state grants and funding through the year 2020.

Louise presented a timeline of their work which started in Oct. 2011. She said as a Committee, they met 27 times. The State provided guidelines for them to follow in preparation of this document. Louise said one particular state requirement is an inventory of significant, private, unprotected parcels. In April 2012 the committee advertised and held two public ranking sessions for every private parcel of 10 acres or more. These parcels were ranked on 11 standards.

Louise said in late August they solicited action plans or lists of initiatives from 15 Town entities, including the Board of Selectmen. The Board of Selectmen's initiatives are included in the plan.

Louise said this OS&R Plan is very different from the previous one. The following are some of the differences: the ranking guidelines are different for large public parcels; there is significant and more representation of the Recreation Commission; there is a comprehensive documentation of wild life; an increase of ADA requirements plus outreach to the disabled community; the GIS Maps/the Town maps are better and more useful; and 7) there is an emphasis on small parcel links.

Louise asked the Board to formally approve the OS&R Plan as it was presented.

The Mr. Hult thanked Louise and the Committee for their hard work preparing this plan.

Mr. Williams also thanked the Committee. He said this is a very sensitive time to rule out things. He pointed out that very little was mentioned in the document in terms of Banta Davis and the work that is being done by the Affordable Housing Trust. Mr. Williams expressed concern over the upcoming Town Meeting when information is being presented to the residents so they can make a good decision on whether to pursue affordable housing on Banta Davis. His concern was that this document may be something that will be used to hold up that process.

Louise said this is not a Master Plan, it is only a recommendation.

Mr. Stevenson said he shared the same concerns as Mr. Williams. He said there has been a huge amount of work put into this report and a great amount of this information everyone agrees with. However there is this one conflict. Mr. Stevenson said there is no mention of the Housing Trust, who together with the Board of Selectmen has unanimously supported studying the idea of housing on Banta Davis. He said this is in direct conflict of what is presented in this report. He asked how we can forge forward with this document with this one sentence that is in conflict with what is actually taking place.

Mr. Hult said he supports the plan, and he believes approval of the plan does not preclude the Board of Selectmen from either supporting another direction in terms of the land or the Town from making that decision. He suggested the Board prepare a statement the says, 'given the events that have occurred since the date of the plan, the Board of Selectmen has chosen to put before the Town an alternative for shared use of the land'.

Greg Petersen from the Carlisle Affordable Housing Trust said he wanted to speak to the lack of the recreation component. In regard to Banta Davis, he said the Board of Selectmen appointed a Banta Davis Task Force in 2011 and this committee provided a report to the Board of Selectmen in June 2012.

Greg said the information that has been given to the State in this document is inaccurate.

Mr. Hult said he understood what Mr. Peterson was saying. A statement will be drafted and discussed at the Selectmen's next meeting. Mr. Stevenson said he was trying to understand where the conflict lies. He said we have other recreational fields in Town to consider for recreation. Mr. Gorecki said he did not have a problem approving this plan now and crafting a statement.

Mr. Scavongelli said he was comfortable with supporting this plan now knowing that it is not a master plan. It is an open space and recreation plan and it does not preclude our continuing to move forward housing on Banta Davis.

On a motion made by Mr. Gorecki and seconded by Mr. Scavongelli, it was unanimously **VOTED** to approve the Town of Carlisle Open Space and Recreation Plan, dated November 1, 2013, approved through September 2020.

Mr. Stevenson said he and Mr. Williams will work on a draft statement.

New Business

Mr. Gorecki spoke about the RFP for CCTV. He said CCTV was the only bidder for public, educational and governmental access services in Carlisle. He said they were selected by the RFP review committee and it is now up to us to negotiate a contract with them. Mr. Gorecki said he is on the Board of Directors of CCTV so therefore he cannot participate in the negotiations. The Board will look into assigning this task to someone else.

Mr. Williams said a survey/questionnaire was published in the Carlisle *Mosquito* relative to people with disabilities and who have transportation needs. He asked that people who need these types of services to please respond to the survey.

Town Administrator Report

1. Mr. Goddard said attached to this report is a recent e-mail from Deputy Fire Chief White regarding the poor response time by NStar to a call about power lines that were down on E. Riding Drive. Also attached is

a letter from NStar regarding a recent policy decision not to reimburse communities for public safety services [which they have historically done]. Mr. Goddard said the Board may wish to discuss an appropriate response to NStar. Mr. Hult said this was unacceptable. Mr. Stevenson said these are arguments we may use to make if we choose to team-up with Concord Municipal Lights.

2. Mr. Goddard said the closing on 669 Bedford took place on December 3rd. He said at that time we received the payment for the property including \$2,900 in property taxes paid through June 30, 2013. Mr. Goddard added that there is still some work to be done on removing the remaining personal property left behind by the former owner.

3. Mr. Goddard said attached to this report are two Community Innovation Challenge grants. The first one is to fund a regional Tick Surveillance program to test ticks for various tick-borne diseases. The second one is from the Northern Middlesex Council of Governments to join their regional Stormwater Collaborative. He said several of our neighboring communities have joined NMCOG and are taking advantage of their technical support and training for employees regarding stormwater management activities. Mr. Goddard said this program is not in conflict with our participation in the SuAsCo River Basin collaborative and there would be no cost to Carlisle.

Mr. Goddard said the Board of Health supports the Tick Surveillance program and the Planning Board Administration said the Planning Board is interested in the NMCOG Stormwater Collaborative. Mr. Goddard recommended that the Board vote tonight to support both efforts.

On a motion made by Mr. Scavongelli and seconded by Mr. Stevenson, it was unanimously **VOTED** to support both of the Community Innovation Challenge grant applications submitted to the Executive Office of Administration and Finance for a Regional Tick Surveillance Program and the Northern Middlesex Council of Governments' Regional Stormwater Collaborative.

4. Mr. Goddard spoke about the 2014 Town Meeting and Town Election Schedule. He asked the Board to vote to open the warrant for the 2014 Annual Town Meeting to be held on Monday, April 28, 2014 for the acceptance of possible warrant articles. He also asked that they establish the date for the Annual Town Election as the following Tuesday, May 6, 2014. Mr. Goddard said we anticipate the closing of the warrant in mid-March but the earlier we receive draft warrant articles the better.

On a motion made by Mr. Scavongelli and seconded by Mr. Stevenson, it was unanimously **VOTED** to declare open the warrant for the 2014 Annual Town Meeting to be held on Monday, April 28, 2014 in the Corey Auditorium at 7:00 p.m., and, pursuant to the same warrant, to set the date for the Annual Town Election as Tuesday, May 6, 2014.

5. Mr. Goddard said it has been brought to his attention that the terms of the appointments to the Highland Committee were not extended past June 2013 (anticipating that the committee's work would wrap up around that time). He said he spoke with Town Counsel and it is their suggestion that the Board extend the appointments from this date through at least June 30, 2014 to include the Town Meeting time frame.

On a motion made by Mr. Williams and seconded by Mr. Gorecki, it was unanimously **VOTED** to reappoint the following members of the Highland Committee from this date forward through June 30, 2014: Peter Scavongelli, John Ballantine, Mary Storrs, Priscilla Stevens, and Matt Hamor.

Mr. Goddard said the Board is receipt of a copy of letter to the Board of Health from Jeffrey Brem announcing his resignation from the Board of Health. Mr. Hult said he wanted to acknowledge Jeff's service to the Board of Health.

Mr. Goddard brought the Board's attention to the letter sent from MassHousing relative to the 40B application on 100 Long Ridge Road. Mr. Hult said he will respond to this letter and send it to the other Selectmen for their review and comments.

Mr. Goddard said Tax Collector Larry Barton has asked for the Board's approval to place an insert in the upcoming tax bills relative to the Town of Carlisle's Elderly and Disabled Fund.

On a motion made by Mr. Stevenson and seconded by Mr. Gorecki, it was unanimously **VOTED** to authorize the Treasurer to include in the upcoming tax bills a form for donations for Fiscal Year 2014 Town of Carlisle Elderly and Disabled Fund.

Liaison Reports

Mr. Scavongelli said there is a Town Survey going on to understand the level of the Town's interest in a Cultural Center. He thanked Mr. Goddard for his hard work on this project.

Mr. Hult spoke about the Concord-Carlisle High School. He showed pictures of the progress of the construction. He provided the following report: the steel-work is 98% complete; construction is 22% complete and 6% of the contingency fund has been used.

Mr. Hult said Schedule A was reviewed prior to the FinTeam meeting, which was held this morning. He noted that the new the tax rate is 18.64. Mr. Hult said for FY13 there are 13 outstanding taxpayers. He added that the budget guideline letter will be going out shortly.

Minutes

On a motion made by Mr. Williams and seconded by Mr. Gorecki, it was **VOTED** unanimously to approve the Minutes of the November 12, 2013 Board of Selectmen's meeting.

Executive Session

At 10:10 a motion was made by Mr. Gorecki to go into Executive Session pursuant to MGL Ch. 30A, §21 (a) paragraph (2) to discuss strategy with respect to contract negotiations with non-union personnel, not to return to open session. The motion was seconded by Mr. Scavongelli and the following roll call vote was taken: Hult – aye; Gorecki – aye; Scavongelli – aye; Williams – aye; and, Stevenson – aye.

Respectfully submitted by Margaret Arena